**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE K.M.JOSEPH**

**WEDNESDAY, THE 3RD JANUARY 2007 / 13TH POUSHA 1928**

**WP(C).No. 28777 of 2005(A)**
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**PETITIONER:**
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**JAISAMMA ANTONY,AGED 42 YEARS,**
**W/O.K.M.JOSE,KIDANGETH HOUSE,**
**PALA P.O.,MAOONANI,KOTTAYAM.**
**NON VACATIONAL H.S.TEACHER IN MATHS,**
**GOVT.V.H.S.S. THODUPUZHA.**

**BY ADV. SRI.K.VINOD CHANDRAN**

**RESPONDENTS:**
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1. **STATE OF KERALA,REPRESENTED BY CHIEF SECRETARY,SECRETARIAT,THIRUVANANTHAPURAM.**

2. **THE DIRECTOR OF PUBLIC INSTRUCTION, OFFICE OF THE DPI,THIRUVANANTHAPURAM.**

3. **THE DIRECTOR,VOCATIONAL HIGHER SECONDARY EDUCATIONAL DEPARTMENT, THIRUVANANTHAPURAM.**

4. **THE PRINCIPAL,GOVERNMENT VOCATIONAL HIGHER SECONDARY SCHOOL,THODUPUZHA.**

**R1 TO R3 BY GOVERNMENT PLEADER (SHRI T.T. MUHAMMED)**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 03/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**APPENDIX IN W.P.(C) NO. 28777 OF 2005 A**

**PETITIONER'S EXHIBITS:**

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|---|---|
| **EXT.P1** | **TRUE COPY OF THE GOVERNMENT ORDER G.O.(RT) NO.3432/2001/G1/EDN. DT. 13.9.2001.** |
| **EXT.P2** | **TRUE COPY OF THE ORDER NO.E4/13070/99 DATED 1.10.2001.** |
| **EXT.P3** | **TRUE COPY OF THE ORDER NO.G.O.(RT) NO.1356/03/GL.EDN. DATED 4.4,.2003.** |
| **EXT.P4** | **TRUE COPY OF THE CIRCULAR NO.E4/2570/2003 DATED 31.5.2003.** |
| **EXT.P5** | **TRUE COPY OF THE GOVERNMENT ORDER NO.G.O.(RT) NO.1353/04/GL.EDN. DATED 1.4.2004.** |
| **EXT.P6** | **TRUE COPY OF THE GOVERNMENT ORDER G.O.(RT) NO.443/05/GL.EDN. DATED 31.1.2005.** |
| **EXT.P7** | **TRUE COPY OF THE APPLICATION DATED 11.7.2005.** |
| **EXT.P8** | **TRUE COPY OF THE APPLICATION DATED 11.7.2005.** |
| **EXT.P9** | **TRUE COPY OF THE ORDER ISSUED BY THE THIRD RESPONDENT NO.E4/13159/05 DATED 1.10.2005.** |

**// TRUE COPY//**

**PS TO JUDGE**

**K. M. JOSEPH, J.**

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**W.P.C. NO. 28777 OF 2005 A**

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**Dated this the 3rd January, 2007**

**JUDGMENT**

Case of the petitioner, in brief, is as follows:

Petitioner was a HSA in the General Education Department and she was deputed to the Vocational Higher Secondary Education Department in October, 2001 for one year. It was extended for another year by Ext.P3. By Ext.P5, it was extended till completion of five years or till such time as regular hands appointed by PSC join duty, whichever is earlier. It is her further case that no regular hands have been appointed and she is entitled to continue till the end of the academic year 2005 - 2006. By Exts.P7 and P8, she requested to continue on deputation and No Objection Certificate was sought from the parent Department. Ext.P9 is challenged as being violative of Ext.P5.

2. A Counter Affidavit is filed on behalf of first respondent. Petitioner was deputed in October, 2001.

Therefore, even going by the case of the petitioner based on Ext.P5, the period of five years is over in October, 2006. In such circumstances, petitioner cannot have any further grievance. I am not expressing any view on the contention of petitioner that she can be continued till the end of the academic year, in the light of the Government Orders, which have been passed or which may be passed. The Writ Petition is dismissed.

**K. M. JOSEPH, JUDGE**

kbk.